

NEW RETURN COMING.

Figures from News Ferry to be Included in the Halifax Vote.

MR. ALLEN BEFORE THE BOARD.

He Has the Matter Held Over Until To-Day to Await the Revised Certificate Ordered by the Supreme Court—Few Other Irregularities.

The State Board of Canvassers, consisting of the Governor, Secretary of the Commonwealth, Auditor of Public Accounts, Treasurer, and Attorney-General, met in the office of Secretary-General yesterday, as required by law, to pass upon the returns from the election held on the 4th of November for members of the General Assembly. All of the members were present, except Attorney-General Scott.

Before the board began the canvass of the returns Mr. Edgar Allan appeared before the body as counsel for S. B. Keese, of Halifax county, who claims to be entitled to the seat in the House for which the County Board of Commissioners awarded a certificate to H. C. Hudson. Mr. Allan said he appeared before the board to present a question which he thought arose outside of the records before that body. In regard to the election in Halifax county, the returns indicated on their face a majority of twenty-five votes cast for the Democratic candidate. Immediately after the election the commissioners of Halifax decided to throw out the returns of Perry precinct, and while the board was still in session papers were prepared for a mandamus proceeding and served on that body for the purpose of having the vote of that precinct included in the returns from that precinct showed that only two judges of election were present while the returns were being cast, and for that reason the precinct had been thrown out. Notwithstanding the fact that the Code, in section 5, page 52, subdivision 3, which reads: "Words purporting to give authority to three or more public officers, or other persons, shall be construed as giving such authority to a majority of such officers or other persons, unless it shall be otherwise expressly declared in the law giving the authority."

When the application for a writ of mandamus was presented to the Supreme Court of Appeals, that tribunal took time to consider the matter, and on last Thursday issued a peremptory mandamus, a copy of which was submitted to the board by Mr. Allan. The mandamus, in which H. B. Melvin, J. M. Carleton, Gray Craddock, and Thomas Melley are defendants, is to compel the defendants to include the returns from all of the precincts of the county of Halifax, including the returns from the News Ferry election-precinct, the result of the election held in said county on the 4th day of November, 1895, for the election of Delegates to Virginia, and to notify the results so ascertained, and make an abstract thereof.

HAD IT BY FOUR VOTES.

Mr. Allan also submitted a certified copy of the returns from the News Ferry election-precinct, which stated that 25 votes were cast at that precinct for Hudson and 49 for Keese. If these votes were added to those from the other precincts, then Keese would have been elected by 4 votes.

Governor O'Ferrall, the president of the board, desired to know from Mr. Allan how he reconciled the provision of the statute just read by him with the provision of the election-law, which says: "Should any judge of election fail to attend at any place of voting for one hour after the time prescribed by law for opening the polls at such election, it shall be lawful for the board to select from the bystanders one or more persons, possessing the qualifications of judges of election, who shall act as judges of election at such election, and who shall have all the powers and authority of judges appointed by said electoral board; provided, however, that if the judge or judges present have information that the judge or judges will not attend, he or they need not wait for the expiration of an hour, or any other time. Should all the judges appointed for any place of voting fail to attend at such election, it shall be lawful for the board to select from the bystanders one or more persons, possessing the qualifications of judges of election, who shall act as judges of election at such election, and who shall have all the powers and authority of judges appointed by said electoral board."

THE STATUTE DIRECTORY.

Mr. Allan stated in reply that the Supreme Court of Appeals had not handed down a written opinion in the matter, but Judge Cardwell, who rendered the decision, stated that the provision of the statute was directory. Mr. Allan added that, if all the judges of election at the election should fail to attend, there could be no election, because there would be no legal ballots on hand. He explained that he simply desired to present to the board a written opinion in the matter, and that the returns submitted from Halifax county were not such as were required by law, and that the board of election-commissioners from that county had judicially refused in requiring the presence of the three judges of election at the Supreme Court of Appeals had decided, and that the action of the two judges present was legal. There had not been any charge of fraud made, and when the application for a writ of mandamus was argued in the Supreme Court of Appeals, the commissioners of election were represented by counsel, who raised the constitutional question that all election-commissioners should be decided in their respective houses.

GOVERNOR O'FERRALL THOUGHT THERE WAS NO OFFICIAL RECORD BEFORE THE BOARD.

The views represented by Mr. Allan as to the latter thought were substantiated by him furnished sufficient proof to justify a stay in the proceedings, as far as Halifax county was concerned, until the proper steps could be taken directed by the Supreme Court. He said he had received a communication that morning from Halifax county, stating that process had been served on the election-commissioners, and that they would convene on that day to carry out the order of the court. He, therefore, asked the board to lay over the consideration of the vote of Halifax county until the election-commissioners could send on a corrected return.

BUT FEW IRREGULARITIES.

The vote was then counted, beginning for the Senate from the even districts. The canvassing went on smoothly, and only a few clerical errors were discovered in the filling-out of the returns. The certificate from Floyd county was dated November 11th, while, under the law, it should have been dated November 7th. The return from Greene county was dated November 6th—election-day. After some discussion, it was decided to send the returns of Greene county back for correction. The return from Pittsylvania county, where there is a contest pending similar to the one in Halifax, was laid over to be considered after the other returns have been canvassed.

SOME LITTLE DISCUSSION OVER THE RETURN FROM RUSSELL, WHICH WAS DATED BY THE ELECTION-COMMISSIONERS NOVEMBER 5TH, WHILE THE CERTIFICATE OF THE CLERK WAS DATED NOVEMBER 7TH. THE CERTIFICATE WAS ACCEPTED.

The return from Greene county was then again taken up, and the Governor

moved that it be reported to the House of Delegates. Colonel May moved, as a substitute, that the returns be accepted as correct. The substitute prevailed. The return from Mathews county was signed by six election-commissioners, while the county was only entitled to five commissioners, under the law. After some discussion it was decided to pass the return.

The several votes were finally reconsidered, and the returns laid over until to-day for further discussion. The return from Pittsylvania was taken up, and a statement was read from the election-commissioners, setting forth that the election-judges from one precinct had asked to be allowed to take part in the adding-up of the vote on the tally-sheet. The election-commissioners, however, declined to do so, thinking that they did not have the power. The board acted with the commissioners, and the return was accepted as correct. The judges of election at the precinct in question claim that they only received 163. If this mistake was corrected the regular Democratic nominee—Mr. J. I. White—would have been elected.

The board adjourned until to-day, at noon, when the Halifax matter will be disposed of, and the certificates signed.

GYMNASIUM EXHIBITION.

A Fine Display Made by the Y. M. C. A. Classes Last Night.

A large and enthusiastic audience witnessed the first gymnastic exhibition of this season given at the Young Men's Christian Association Hall last night. The participants were in the best possible trim, and acquitted themselves in a most creditable manner. The exhibition was held in the hall, and also furnished music for several numbers on the programme. The young men's class, under the leadership of Mr. J. W. Smith, rendered the dumb-bell drill in the most perfect manner, and also gave excellent exhibitions of their skill on the horizontal and parallel bars. Professor Schatzel and Mr. Paul Webster received long and hearty applause for their difficult feats on the parallel bars. Messrs. E. Bruce Chesterman, Jr., and Percy W. Finney gave a finished exhibition of tumbling and balancing, which was well received. Herman Kindervater, and Herbert Paul were splendid in their general tumbling and brother-act. The members of the boys' classes, in their various exercises, also received much applause. The enthusiasm with which their work was received. Master Ernest Page led the elementary class in a dumb-bell drill, while Mr. J. W. Smith led the advanced class in a wand drill. Both were exceedingly well executed. Master T. N. Wood led the elementary class in exercises on the spring-board, and the intermediate class did fine work on the side-bar. Mr. J. W. Smith led the advanced class in a series of exercises on the side-bar. The exhibition was a most successful one, and the members of the classes, and the audience, all enjoyed it very much.

TO WED A NOBLEMAN.

Engagement of Miss Fisher and Mr. Higginson Announced.

The engagement of Miss Ella Fisher, of this city, to Mr. James Macaulay Higginson, of Albemarle, is announced.

The wedding is to take place at Monumental church on January 22. Miss Fisher is a daughter of Mr. R. H. Fisher, of this city, and besides being a beautiful girl, she is also a thoroughly accomplished in art and music, and is a charming conversationalist. She has many relatives in Albemarle, the present home of her intended husband, and has visited there three or four times.

MR. HIGGINSON IS THE YOUNGEST SON OF THE LATE SIR J. M. HIGGINSON, K. C. B., AND LADY HIGGINSON, OF CONNELLOR, COUNTY KILDARE, IRELAND, AND REPOUSE OF THE SIXTH DUKE OF SIDIKEY AND DUCHESS OF MANCHESTER. HE IS AN EXCEEDINGLY POPULAR MAN, A TRUE LOVER OF SPORT, AND WELL KNOWN IN ALBEMARLE, WHERE HE HAS RESIDED FOR FOURTEEN YEARS, AND HAS A FINE ESTATE, FOR HIS PLEASANT, GENIAL MANNER AND GENEROSITY.

ANOTHER GREAT MEN'S MEETING.

Dr. Young Addressed a Large Audience Sunday at the Y. M. C. A.

There is no doubt that the men's meetings at the Young Men's Christian Association are doing great good and drawing crowds. Sunday afternoon almost three hundred men welcomed Dr. Young, and listened with great interest to his masterly address on "The Christian's Duty." The service throughout was intensely earnest, and the speaker's address was most impressive. Fully ten men expressed an earnest desire to lead better lives.

Eight hundred men at two meetings is an excellent record, and the meetings will grow in popularity and power until the hall will be crowded.

Mr. D. S. Bennett talked to the boys at 3 o'clock Sunday. Next Saturday he will give a lecture on "The Power of the Word." Every boy should hear this talk.

TO BEGIN TO ARGUE TO-DAY.

Hearing of the Lunenburg Cases to Commence in Supreme Court.

Argument for a new trial in the Lunenburg cases will begin in the Supreme Court of Appeals to-day, but it is hardly probable that it will start before noon, as there is another case now under argument, which will take at least an hour or more. Judge H. W. Flournoy will open, and will be followed by Judge Mann and Mr. Southall. Captain Wise will conclude. It is likely that the argument will consume more than one day, as it is very exhaustive. Written briefs have already been submitted in all the cases.

A Telephone Petition.

Yesterday a petition was being circulated around the City Hall. It had a number of signatures, and was presented to the members of the City Council, praying them not to grant the telephone franchise to any one of the competing companies until they have by a proper committee fully investigated and ascertained by said committee and experts, if necessary, that the company to which the franchise may be granted is the proper company to receive it, and has the ability to carry out its contracts with the city, and that it will give to the people a first-class service in all respects.

Powhatan Club Meeting.

An important meeting of Powhatan Club will be held this evening at its headquarters at 8 o'clock. The special committee have looked into the affairs of the organization, which consists of Messrs. C. V. Meredith, J. B. Bigler, and S. S. P. Patterson, will report the plans for 1896. Every member, and every one who wishes to become members, are requested to attend.

Woman's Christian Association.

There was a meeting of the Board of Directors of the Woman's Christian Association in the rooms of the institution yesterday morning. Mrs. Joseph Bryant presided, and there was a full attendance of the board. Only routine business was transacted, and the meeting adjourned on December 9th.

WILLIAMSBURG.

Circuit Court Matters—Personals and Briefs.

WILLIAMSBURG, VA., November 25.—(Special.)—The Brooks-Nightingale trespass suit, which occupied the attention of the Circuit Court for nearly the entire week, resulted in a judgment for the plaintiff, and the case was continued until December 3d.

Every effort will be made to capture Davis, and Governor O'Ferrall will be asked to order his arrest and delivery to the authorities of this city.

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THE PARIS DOCKED.

And Being Overhauled at Newport News.

The City Charter Adopted.

And the Principal Officers Named.

Coaling a United States Warship—Funeral of a Pioneer Citizen—Personal Notes.

NEWPORT NEWS, VA., November 25.—(Special.)—The transatlantic steamer Paris, of the American Line, arrived here yesterday morning at 11:30 o'clock. Yesterday afternoon about 3 o'clock she was successfully berthed in the only dry-dock in the United States large enough for her to enter. It took just two hours from the moment of moving the big liner from the pier to get her safely docked, and half an hour afterward the dry-dock had been pumped dry. There wasn't the slightest hitch in the operations. Nearly 400 men went to work on the vessel at once. The work of overhauling her will be completed Friday or Saturday. The Paris has never before been docked in the United States. Arrangements were made for her to come here for an overhauling last year, but owing to an accident that happened to the steamer just before she reached Southampton, the work had to be done at that place. The Paris is 563 feet long, 63 feet beam, and 41 feet deep. James Duran, superintendent of the American Line, George Clark, assistant superintendent, and J. W. Smith, clerk, are the persons who are here in connection with the work on the Paris.

THAT CHARTER.

The charter for the city of Newport News that was prepared by a committee from the Business-Men's Association was adopted by the board of directors yesterday afternoon. The charter has been in the hands of the board for some time, and has been the subject of much discussion. The board has now decided to adopt it, and it will be the basis of the city's government.

After the adoption of the charter the question as to who should be recommended by the association to be the first city clerk was taken up for consideration. W. A. Porter, a man of fine intelligence, and a public-spirited citizen, was unanimously named for Mayor. It was then decided that the most advisable course would be to recommend that the present county officers act as corresponding city officers, until the first election, which will take place next May. According to this plan, County Clerk D. G. Smith would become City Clerk, and the Corporation Court, Sheriff B. W. Milwood, City Sergeant, County Treasurer J. M. Curtis, City Treasurer, Commissioner of the Revenue, and the other officers, would continue to act as such until the first election.

A committee was appointed by the association to nominate two councilmen from each ward, a Police Justice, and such other officers as are not above named, and to hold a meeting to-morrow night.

After the association's slate for the city's first municipal officers, which will be appointed by the Legislature, is completed, it will be the duty of the board of directors to meet for the purpose of making arrangements for the first election.

There is no disposition on the part of the association to dictate the officers. Its object is to present the names of men who are qualified to conduct the government and prevent them to the people for their approval or disapproval.

THE MINNEAPOLIS.

The cruiser Minneapolis, which arrived here Saturday, will take on 700 tons of coal at this port. The coal is taken out to the cruiser by a tug, and is then taken to the work of supplying the fuel progress slowly. The vessel will not be ready to leave before to-morrow afternoon. This is the first time that a United States warship has called at Newport News. An effort is being made to have the vessel of the North Atlantic Squadron come here regularly for fuel.

The remains of Mr. John Benjamin Johnson, who died at a general hospital, in Norfolk, Friday night, were brought to this city yesterday and were interred in Greenlawn Cemetery this morning. The deceased was one of the most prominent men of the city. He had been a rheumatic sufferer for years, and for some time past had been an invalid. Mr. Johnson leaves a wife and eight children. He was a member of the Methodist Conference was assigned to Berkeley, preached to large congregations at the Washington-Avenue Methodist church, and was a most successful evangelist. He will enter upon the duties of his new pastorate next Sunday. Rev. George W. Wray will begin his work here on the same day.

The steamship Huelva with a cargo of iron-ore, which will be unloaded at this port and shipped West.

DEMAND FOR HOUSES.

Although a large number of houses have recently been built in Newport News, real estate agents are not able to supply the demand for residences. Scores of applicants are turned away day after day.

J. W. Hopkins, of Richmond, coal agent of the Chesapeake and Ohio railway, was in the city to-day.

M. O. Morris and bride returned to the city this morning from Baltimore.

Mr. and Mrs. D. S. Jones, Mr. and Mrs. W. B. Vest, and Mr. and Mrs. George V. Bazel have returned from the Atlanta Exposition.

George M. Bazel has returned to his home in Petersburg, after spending three weeks in this city.

RICHARD DAVIS KILLED HIM.

The Murder in Petersburg Saturday Night Last.

PETERSBURG, VA., November 25.—(Special.)—The unprovoked murder of the colored man—Coleman Toran—by a man of his own race, on Saturday night, continued to excite the minds of the people here. About seventy-five delegates to the Methodist conference, which meets here Wednesday, are expected to-night.

Satisfactory Gold-Workings.

WELDON, November 25.—(Special.)—The new mill at the Mann-Arrington gold-mine, in Nash county, is running its twenty stamps steadily, and with most satisfactory results. The development is going steadily on, and at least ten tons of ore are being blocked out for every one mined. Beside the rich gold ore, the mine has enough sulphides and bitulites have enough material in sight to keep the steam-shovel going for many years to come.

The Sheriff Killed Him.

RALEIGH, N. C., November 25.—(Special.)—Yesterday afternoon an escaped prisoner from Wayne county named Bunn was killed by Sheriff Scott. The sheriff shot the prisoner in the back several weeks. The sheriff was returning from church in the country, when he met Bunn in a road-car with his wife. The sheriff called to him to surrender. Bunn made no reply, but from the bottom of the car drew a double-barreled gun, which he leveled at the sheriff. Before he could fire the sheriff fired three times in rapid succession, thus putting an end to the car and its occupants. One ball took effect at the base of the spine. Bunn's wife was not injured. The sentiment is that the sheriff was justified. Bunn was known as a desperate man.

Prominent Reidsville Citizen Dead.

REIDSVILLE, N. C., November 25.—(Special.)—Mr. Charles Overman, the venerable father of our country, died at his residence here at 4 o'clock this afternoon.

He was a prominent man, well known in this State, and formerly held a high position in the Federal Government. He was a member of the National Academy of Sciences, and was a member of the American Philosophical Society. He was a man of great learning and of high character. He was a member of the Episcopal Church, and was a member of the Board of Directors of the University of North Carolina. He was a man of great influence, and his death is a great loss to the State.

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